UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,974	12/02/2003	Santosh Savekar	15148US02	4960

23446 7590 02/24/2009
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER	
TAYONG, HELENE E	

ART UNIT	PAPER NUMBER
2611	

MAIL DATE	DELIVERY MODE
02/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/725,974	SAVEKAR ET AL.	
	Examiner	Art Unit	
	HELENE TAYONG	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/4/08*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on 12/4/08.

Claims 1-18 are pending in this application and have been considered below.

Response to Arguments

2. Applicant's arguments with respect to rejection of Claims 1-6, 9, and 11-18 rejected under 35 U.S.C. § 103(a) as being unpatentable over Bhatia in view of Kono, Claims 7, 8, and 10 rejected under 35 U.S.C. § 103(a) as being unpatentable over Bhatia in view of Kono and further in view of Vainsencher have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kono et al (US 2001/0005398) in view of Adolph et al. (US 6,438,3t8).

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., In re Berg, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); In re Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); In re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); In re Van Omum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321 (c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.
Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims I, 6 and I3 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims I ,3 , 4 and 5 copending Application No. 10914808, Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following,

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

5. The difference between claims 1 of the current application and claim 1 of the copending application No. 10914808 are:

One of ordinary skill in the art would recognize that **" a display manager for determining when to overwrite an existing image in the image buffers, and providing a signal to the decoder indicating when to overwrite the existing image in the frame buffer; and wherein the decoder overwrites the existing image after receiving the signal. ,"** in the instant application, is effectively the same as **" wherein the second processor signals the first processor to overwrite the particular ones of the decoded images at approximately said times, and wherein the first processor overwrites the particular ones of the decoded images after the second processor signals the first processor,"** in the copending application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-6, 11-12 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kono et al (US 20010005398 A1) in view of Tada (US 7142776).

(1) with regards to claims 1 and 13;

Kono et al teaches a method (Fig .6) for displaying images on a display comprising:

a decoder (52) for decoding encoded images and parameters associated with the images (pg.5, [0066], lines 3-5).

image buffers (58) for storing the decoded images pg. 5, [0066], lines 7-10) ;

parameter buffers (53) for storing the decoded parameters associated with the decoded images(pg. 5, [0067], lines 2-6) ; and

Kono discloses a display manager (55), but does not explicitly teach determining when to overwrite an existing image in the image buffers and providing a signal to the decoder indicating when to overwrite the existing image in the frame buffer wherein the

decoder overwrites the existing image after receiving the signal.

However, Tada in the same endeavor (disclose in figs. 1, 2 and 3) recording and reproducing information in a buffer. In fig. 3, step S14-S15 calculated scheduled overwriting time and display overwriting notice message (col. 7, lines 26-65).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have incorporated the this feature into the system of Kono, in the manner as claimed, for the benefit of improving time shift positions during reproducing data.

(2) with regards to claim 2;

Kono further discloses wherein the set of parameters (pg. 5, [0067], lines 2-6) includes a parameter indicating when the system is utilizing a technique requiring selective images to be displayed more than once (pg. 6, [0086], lines 7-11).

(3) with regards to claim 3 ;

Kono further discloses wherein the system for displaying images on a display (fig.6) further comprises:

a first processor (54);

a second processor (55);

a first memory (58);

a second memory(53); and

wherein the first memory stores an instruction set for the decoder (pg.6, [0079]).

(4) with regards to claim 4;

Kono further discloses wherein the first processor (54) executes the instruction for the

decoder (pg. 6, [0081] lines 3-4).

(5) with regards to claim 5;

Kono further discloses wherein the second memory stores (53) an instruction set for the display manager (pg.6, [0085], lines 6-8), the instruction set for the display manager (fig.6, 68) executed by the second processor (pg.6, [0085], lines 8-11).

(6) with regards to claim 6;

Kono further discloses wherein the second processor (55) determines when to overwrite the existing image (pg. 6, [0084]-[0086]).

(7) with regards to claim 11;

Kono further discloses the second memory stores the image buffers (fig. 6, 53d), (pg. 5, [0067]).

(8) with regards to claim 12;

Kono further discloses wherein the second memory stores the parameter buffers (fig. 6, 53e), (pg. 6 [0067).

(9) with regards to claim 14;

Kono further discloses wherein execution of the instructions by the first processor further causes: displaying the images (fig. 7 and fig.8).

(10) with regards to claim 15;

Kono further discloses a second processor connected to the integrated circuit (fig, 6,55); and

a second memory connected to the processor (fig. 6, 53), the second memory storing instructions, wherein execution of the instructions by the second processor

causes:

Kono discloses a display manager (55), but does not explicitly teach determining when to overwrite the existing frame; and transmitting the signal to the first processor indicating when to overwrite the existing frame.

However, Tada in the same endeavor (disclose in figs. 1, 2 and 3) recording and reproducing information in a buffer. In fig. 3, step S14-S15 disclose determining when to overwrite the existing frame (col. 7, lines 26-65).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have incorporated the this feature into the system of Kono , in the manner as claimed, for the benefit of improving time shift positions during reproducing data.

(11) with regards to claim 16;

Kono further discloses wherein execution of the instructions in the first memory by the first processor further causes: decoding parameters associated with the images (pg.6, [0080]).

(12) with regards to claim 17;

Kono further discloses examining some of the decoded parameters associated with the images by the second processor (pg. 6, [0085], lines 10-11).

(13) with regards to claim 18;

Kono further discloses a parameter buffer (53) connected to the integrated circuit and a frame buffer connected to the integrated circuit (fig.6), wherein the parameter buffer stores the decoded parameters(pg. 5, [0067], lines 2-6), and the frame buffer

stores the decoded images (pg. 5, [0067], lines 2-6).

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kono et al (US 20010005398 A1) in view of Tada (US 7142776) as applied in claim 6 above, and further in view of Vainsencher (US 5977997).

() with regards to claim 7;

Kono et al. discloses in (fig. 1) an integrated circuit comprises the first processor(115) and first memory (125a).

Kono et al modified by Tada fails to teach wherein the second processor is off-chip from the integrated circuit.

However, Vainsencher in the same field of endeavor (MPEG processing) teaches in (fig. 2) a computer system (200) wherein the second processor (202) is off-chip (single chip).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have incorporated the this feature into the system of Kono, in the manner as claimed, for the benefit of increased opportunities for memory sharing (col.9, lines 13-14).

9. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kono et al (US 20010005398 A1) in view of Tada (US 7142776) as applied in claim 3 above, and further in view of Vainsencher (US 5977997).

(1) with regards to claims 8;

Kono et al. discloses in (fig. 1) an integrated circuit comprises the first

processor(115) and first memory (125a).

Kono et al as modified by Tada fails to teach wherein the second processor is off-chip from the integrated circuit.

However, Vainsencher in the same field of endeavor (MPEG processing) teaches in (fig. 2) a computer system (200) and where the second memory (fig. 2, 218) is an off-chip memory (single chip).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have incorporated the this feature into the system of Kono, in the manner as claimed, for the benefit of increased opportunities for memory sharing (col.9, lines 13-14).

(2) with regards to claim 10;

Kono et al as modified by Tada fails to teach where the second memory is DRAM.

However, Vainsencher in the same field of endeavor (MPEG processing) teaches in (fig. 2) a computer system (200) and where the second memory is DRAM (implicitly disclosed in the display controller) (col.9,13-24)).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have incorporated the this feature into the system of Kono, in the manner as claimed, for the benefit of increased opportunities for memory sharing (col.9, lines 13-14).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kono et al (US 20010005398 A1) in view of Tada (US 7142776) as applied in claim 3 above , and

further in view of Xiang et al (US 20070153133 A1).

(1) with regards to claim 9;

Kono et al as modified by Tada discloses all of the subject matter disclosed above but fails to teach wherein the first memory is a SRAM;

However, Xiang et al in the same field of endeavor teaches a SRAM (fig. 2, 204).

It would have been obvious to one of ordinary skill at the time of the invention to utilize the memory of Xiang et al in the method of Kono et al in order to provide a video processing system having a processing unit. The motivation to add Xiang et al 's memory in the method of Kono et al would be to generate random burst addresses for processing of video signal.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, Schoner et al (US 5926227) discloses video decoding dynamic memory allocating system and method with error recovery.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELENE TAYONG whose telephone number is (571)270-1675. The examiner can normally be reached on Monday-Friday 8:00 am to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Liu Shuwang can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helene Tayong/
Examiner, Art Unit 2611

2/16/09
/Shuwang Liu/
Supervisory Patent Examiner, Art Unit 2611